

**REMARKS**

Each of claims 1-43 remains pending and at issue in this application, with claims 1, 16, 27, and 36 being independent claims. With this Response, Applicants amend claims 1, 16-27, and 36, and cancel claim 2. Each of the amendments finds support in the application as originally filed and, accordingly, the amendments add no new matter. In view of the amendments above and the remarks below, Applicants respectfully request reconsideration and favorable action in this case.

**Information Disclosure Statement**

Applicants appreciatively acknowledge the Examiner's indication that the documents cited by the Applicants have been considered by the Examiner.

**Amendments to the Specification**

With this Response, Applicants amend the specification and, in particular, the Abstract, to comply with the proper language and format for an Abstract of the disclosure.

**35 U.S.C. § 101 Rejections**

Each of claims 1-26 is rejected under 35 U.S.C. § 101 as allegedly directed to non statutory subject matter. With this Response, Applicants amend claim 1 and claims 16-26 such that each of claims 1-26 recites patent-eligible subject matter and, in particular, recites a concrete thing consisting of certain devices and combinations of devices to perform a function and produce a certain effect or result. Accordingly, Applicants respectfully request reconsideration and withdrawal of these rejections.

**35 U.S.C. § 102 Rejections**

Each of claims 1-3, 5, 6, 11, 12, 14-17, 19, 20, 24, and 25 is rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 6,442,512 to Sengupta et al. (hereinafter "Sengupta"). Each of claims 27-43 is rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,631,825 to van Weele et al. (hereinafter "van Weele").

Independent claim 27

As amended by this Response, claim 27 is directed to a process control and configuration system for use in a process plant and recites, in part, a set of interrelated graphic displays, the graphic displays independently executable on the display device to visually represent the operation of a set of the process entities within the process plant on the display screen, wherein one of the set of interrelated graphic displays may be sequentially accessed from another one of the set of graphic displays.

Van Weele cannot anticipate amended claim 27 because van Weele does not disclose all of the elements recited by claim 27 and, in particular, does not disclose a set of interrelated graphic displays independently executable on a display device to visually represent the operation of a set of process entities, wherein one of the set of interrelated graphic displays may be **sequentially accessed** from another one of the set of graphic displays. The Office action alleges that the SEQUENCES and SECTIONS disclosed by van Weele correspond to the graphic displays recited by claim 27. As amended, however, claim 27 recites a set of interrelated graphic displays, each of the graphic displays **independently executable** on the display device to visually represent the operation of **a set** of process entities, wherein one of the graphic displays may be **sequentially accessed** from another one of the set of graphic displays.

The SEQUENCES and SECTIONS disclosed by van Weele cannot correspond to the recited graphic displays for at least two reasons. First, the SEQUENCES and SECTIONS disclosed by van Weele do not illustrate **a** set of process entities. Instead, the SEQUENCES and SECTIONS disclosed by van Weele generally illustrate **different** sets of process entities. Van Weele explicitly defines a SEQUENCE as a sub-unit of a SECTION, stating at col. 5, lines 60-62, “[a]s used herein, a SECTION is a logical collection of process SEQUENCES...” That is, a SECTION contains one or more SEQUENCES. Van Weele at Col. 5, lines 60-65.

Even in the case where a SECTION contains one SEQUENCE and, thus, the SECTION and the SEQUENCE represent the same portion of the manufacturing

process, the SECTIONS overview window 36 and the SEQUENCES overview window 38 are part of the **same** graphic display 26. That is, the SECTIONS overview window and the SEQUENCES overview window are not different graphic displays and, thus, cannot be “**independently** executable” as claim 27 now recites.

Second, none of the SEQUENCES and SECTIONS disclosed by van Weele can be accessed sequentially from another of the SEQUENCES and SECTIONS. As a preliminary matter, the SEQUENCES and SECTIONS are displayed at the same time in the respective overview windows 36 and 38, as discussed above. In any event, the Office relies on the display of a Master Flowsheet within the overview flowsheet window 40 as disclosure of sequential display of graphic displays. Like the overview windows 36 and 38, the overview flowsheet window 40 is displayed **concurrently** with the other windows on the graphic display 26, and not **sequentially** as claim 27 recites.

Even under an interpretation in which the various flowsheets, which van Weele discloses may be displayed at different times, allegedly correspond to the interrelated graphic displays, van Weele still fails to disclose the elements of claim 27. This is at least because the various flowsheets are not accessed from one another (each is accessed via the flowsheet button of a corresponding sequence indicator). Moreover, the various flowsheets do not represent the operation of **a set** of process entities but, instead, “each flowsheet 182 contains a predefined and fixed view of a portion of the process...” Van Weele at col. 32, lines 32-34.

For at least each of these reasons, Applicants respectfully submit that amended claim 27 is patentable over van Weele, and respectfully request reconsideration and withdrawal of this rejection.

#### Independent Claim 36

Independent claim 36 is directed to a process control and configuration system for use in a process plant and, as amended, recites, in part, a graphics display editor that enables a user to design a set of interrelated graphic displays, wherein each of the sets of interrelated graphic displays is executable on the display device to visually represent the operation of one or more of the process entities within the process plant on the display screen.

Van Weele cannot anticipate amended claim 36 because van Weele does not disclose all the elements recited by claim 36 and, in particular, does not disclose a graphics display **editor** that enables a user to **design** a set of interrelated graphic displays. As a preliminary point, Applicants disagree with the Office's apparent allegation that the software disclosed in van Weele constitutes an "editor" merely because selecting a "Flowsheet [menu item] provides the ability to create additional flowsheet windows 52 on the secondary display 28." Applicants respectfully submit that a person of ordinary skill in the art would not understand the relied-upon passage of van Weele to disclose an editor merely due to the word "create." Instead, a person of ordinary skill in the art would understand that, in context, the use in van Weele of the phrase "create additional flowsheet windows" indicates causing the additional flowsheet windows to appear. Causing additional flowsheet windows to appear is not something that a person of ordinary skill in the art would understand as an editor.

Nevertheless, in order to expedite the prosecution of this application, Applicants with this Response amend claim 36 to recite "a graphic display editor that enables a user to **design** a set of interrelated graphic displays." Causing additional flowsheet windows to appear is not the same as designing a set of graphic displays. Accordingly, Applicants respectfully submit that van Weele does not disclose all of the elements recited by amended claim 36 and, therefore, cannot render claim 36 unpatentable. For at least this reason, Applicants respectfully request reconsideration and withdrawal of this rejection.

#### Independent Claim 1

As amended, claim 1 is directed to a graphic display editor and recites, in part, a processor programmed to execute a plurality of routines including a graphically based editor canvas routine that enables a user to define an executable graphic display by placing one or more visual representations of the graphic objects from the library of graphic objects onto an edit canvas an action definition routine adapted to enable a user to interact with the graphic display to perform a function using the graphic display, wherein the action definition routine enables a user to link to a further graphic display, and wherein the further graphic display includes at least one graphic object a visual representation of which was placed onto the editor canvas to define

the graphic display, and wherein either (1) the at least one graphic object is depicted by a different graphic visualization in the further graphic display than the at least one graphic object is defined in the graphic display or (2) a value displayed in the graphic display as associated with the at least one graphic object is different from a value displayed in the further graphic display as associated with the at least one graphic object.

Applicants respectfully submit that the instant amendments to claim 1 render the pending rejection moot because Sengupta does not disclose all of the elements recited by claim 1 and, therefore cannot anticipate claim 1. In particular, Sengupta does not disclose wherein the action definition routine enables a user to link to a further display that includes at least one graphic object a visual representation of which was placed onto the editor canvas to define the graphic display, and wherein either (1) the at least one graphic object is depicted by a different graphic visualization in the further graphic display than the at least one graphic object is defined in the graphic display or (2) a value displayed in the graphic display as associated with the at least one graphic object is different from a value defined in the further graphic display as associated with the at least one graphic object. For at least this reason, Applicants respectfully request reconsideration and withdrawal of this rejection.

#### Independent Claim 16

As amended, claim 16 is directed to a machine readable storage medium storing a set of graphic displays and recites, in part, a first graphic display and a second graphic display, the first graphic display including one or more visually interconnected graphic objects, each of the graphic objects including a visual representation of a physical or a logical entity within the process plant and depicted in the display area; and wherein the first graphic display includes a first one of the one or more visually interconnected graphic objects having a first visual representation of a first physical or a logical entity and the second graphic display includes the first one of the one or more visually interconnected graphic objects having a second visual representation of the first physical or logical entity.

Applicants respectfully submit that the instant amendments to claim 16 render the pending rejection moot because Sengupta does not disclose all of the elements

recited by claim 16 and, therefore cannot anticipate claim 16. In particular, Sengupta does not disclose wherein the first graphic display includes a first one of the one or more visually interconnected graphic objects having a first visual representation of a first physical or a logical entity and the second graphic display includes the first one of the one or more visually interconnected graphic objects having a second visual representation of the first physical or logical entity. For at least this reason, Applicants respectfully request reconsideration and withdrawal of this rejection.

#### Dependent Claims


Each of dependent claims 3-15, 17-26, 28-35, and 37-43 depends, directly or indirectly, from one of independent claims 1, 16, 27, and 36. As discussed above, Applicants respectfully submit that the rejections of each of claims 1, 16, 27, and 36 should be withdrawn. Applicants therefore respectfully submit that each of claims 3-15, 17-26, 28-35, and 37-43 is patentable at least because each depends from a patentable claim. For at least this reason, Applicants respectfully request reconsideration and withdrawal of these rejections.

**CONCLUSION**

Accordingly, all remaining claims are in condition for allowance for the reasons provided above. Applicants files this response with a petition, and the requisite fee, for a two-month extension of time, thereby extending the deadline for response to November 8, 2010. Although Applicants believe that no additional fees or petitions are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 13-2855 of Marshall, Gerstein & Borun, LLP under Order No. 06005/41111. Should the Examiner wish to discuss any of the foregoing comments or any claim amendments deemed needed to result in allowance, Applicants kindly request the Examiner to contact the undersigned by telephone at the number given below.

Respectfully submitted,

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